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Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NETWORK APPLIANCE, INC.

CASE NO. 3:07-CV-06053 EDL

Plaintiff - Counterclaim  
Defendant,

v.

SUN MICROSYSTEMS, INC.,

**Defendant -  
Counterclaimant.**

**[PROPOSED] ORDER GRANTING SUN  
MICROSYSTEMS, INC.'S *EX PARTE*  
APPLICATION TO SHORTEN TIME FOR  
HEARING ON SUN'S MOTION FOR  
PARTIAL STAY OF THE CASE PENDING  
REEXAMINATION OF UNITED STATES  
PATENT NOS. 5,819,292, 6,857,001 AND  
6,892,211**

**Date: TBD  
Time: TBD  
Courtroom: E, 15th Floor  
Hon. Elizabeth D. Laporte**

Having read and considered all of the evidence and arguments submitted in support of and in opposition to Sun Microsystems, Inc.’s (“Sun”) *Ex Parte* Application To Shorten Time For Hearing on Sun’s Motion For Partial Stay Of The Case Pending Reexamination Of United States Patent Nos. 5,819,292, 6,857,001 and 6,892,211 (“*Ex Parte* Motion”), IT IS HEREBY ORDERED that Sun’s *Ex Parte* Motion is GRANTED. Sun’s Motion For Partial Stay Of The

1 Case Pending Reexamination Of United States Patent Nos. 5,819,292, 6,857,001 and 6,892,211  
2 (“Motion”) is deemed filed as of April 15, 2008. Network Appliance, Inc.’s (“NetApp”)  
3 Opposition, if any, to Sun’s Motion shall be filed and served no later than 5:00 p.m. (PST) on  
4 April 24, 2008. Sun’s Reply, if any, shall be filed and served no later than 5:00 p.m. (PST) on  
5 May 1, 2008.

6 The hearing for Sun’s Motion shall be May 6, 2008 at 9:00 a.m. in Courtroom E of the  
7 above-titled Court.

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9 **IT IS SO ORDERED.**

10 Dated: April \_\_\_\_, 2008.

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UNITED STATES MAGISTRATE JUDGE  
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